IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

Bail Appl..No. 7888 of 2007()

(CRIME NO.53/03 OF NEYYATTINKARA EXCISE RANGE)

PETITIONER /A2:

CHANDRAN, AGE 34
S/O. NANNU,THOTTUVARAMBIL VEEDU
NARUVAMOODU, PALLICHAL, THIRUVANANTHAPURAM.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.SHAJIN .S.HAMEED

RESPONDENT: RESPONDENT:

THE C.I. EXCISE RANGE NEYYATTINKARA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

V.K.MOHANAN, J.

B.A.No.7888 of 2007

Dated this the 24th day of December, 2007

O R D E R

The petitioner is the second accused in Crime No.53/03 in Neyyattinkara Excise Range. The allegation is that on 27.6.2003 at about 5.30 pm, while the Circle Inspector of Police, Neyyattinkara Excise Range along with party who were on patrol duty, got information that the petitioner along with the first accused are selling arrack at the canal bund and when the party reached there, they found them carrying the contraband articles. The petitioner seeks anticipatory bail.

2. I have heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of

his arrest in connection with the above case on his executing a bond for Rs.10,000/- (Rupees Ten Thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.K.MOHANAN,
JUDGE

Mbs/

V.K.MOHANAN, J.

Crl.M.C.NO. OF 200

J U D G M E N T

DATED: -0-2007